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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,760	05/01/2002	Oren Kramer	27986-713	7597

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EXAMINER

TRAN, HENRY N

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/049,760	Applicant(s) KRAMER, OREN	
	Examiner Henry N. Tran	Art Unit 2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 May 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/14/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The Amendment received September 14, 2005 has been fully considered; and this Office action is in response thereto.

Information Disclosure Statement

1. The examiner has considered the documents listed in form PTO/SB/08A submitted with the Information Disclosure Statement (IDS) received 9/14/05 (see the attached form PTO/SB/08A).

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the: “a set of specific key each of which interacts through non-electric means to a corresponding contacts”, “a specific gaming applications software program”, “the contacts of said removable part”, and “a set of contacts” (claim 1); “said identification mechanism” (claim 4); “a software component”, “one or more predefined operation(s)”, and “said software component residing on said host computer and executed by said host computer” (claim 6); and “a device for storing an individual code associated with said specific gaming applications software program” (claim 8) must be shown or the features canceled from the claims. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing

Art Unit: 2674

should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

The following claimed subject matters have no clear support or antecedent basis in the specification:

In claim 1: “a specific gaming applications software program”, “the contacts of said removable part”, and “a set of contacts”;

In claim 4: “said identification mechanism”;

In claim 6: “a software component”, “one or more predefined operation(s)”, and “said software component residing on said host computer and executed by said host computer”;

In claim 7: “said predefined operations are directed to setup said host personal computer”; and

In claim 8: "a device for storing an individual code associated with said specific gaming applications software program".

Correction of the above is required.

Claim Objections

4. Claims 6 and 8 are objected to because of the following informalities: editorial errors have been found: the claim terms "one or more program(s)", "one or more application(s)", "one or more predefined operation(s)", "said program(s)", "said application(s)", and "said operation(s)" should be changed to -- one or more programs--, --one or more applications--, --one or more predefined operations--, --said program--, --said application--, and --said operation--, respectively. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Re claims 1 and 3-5, which recites the limitation "the contacts of said removable part" in lines 12-13 of claim 1 (Note: it is unclear that the removable part having contacts. The specification, page 5, describes that the contacts are arranged in the foundation!). There is insufficient antecedent basis for this limitation in the claim.

7. Re claim 4, which recites the limitation "said identification mechanism" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Art Unit: 2674

8. Re claim 5, which recites the limitation "the keys layout" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1 and 3-8 rejected under 35 U.S.C. 103(a) as being unpatentable over Ganthier et al (U.S. Patent No. 5,865,546, hereinafter "Ganthier") in view of Birdwell (U.S. Patent No. 4,906,117).

11. Re claim 1, Ganthier, Fig. 1, teaches a personal computer keyboard (100) for use as an input device for a host personal computer (Fig. 4, 200) comprising: a removable part (130) comprising an integrated circuit (IC) (136) for data storage containing an individual code associated with a specific gaming applications software program (col. 5, lines 14-31; and col. 6, lines 7-19); a fixed part (102), into which said removable part (130) is installed, said fixed part comprising: a set of contacts (105), each of which corresponding to the contacts (136) of said removable part for receiving input data; a data recognition device (99) for reading said individual code associated with said specific gaming applications software program from said an integrated circuit (IC), see col. 3, line 41 to col. 4, line 43; and col. 5, line 14 to col. 6, line 24.

Although Ganthier does not expressly teach that the removable part comprising a set of specific keys each of which interacts through non-electrical means to a corresponding contact. It's well known in the art of keyboard that a standard 101 key keyboard comprising sets of specific keys

Art Unit: 2674

such as set of alphanumeric keys, set of functional keys, etc ..., each of which interacts through non-electrical means to a corresponding contact as specifically illustrated by Birdwell discussed follows.

Birdwell, Fig. 1, teaches a keyboard 1 comprising sets of specific keys (5-15), each of which interacts through non-electrical means (53) to a corresponding contact (25), see Figs. 2, 5 and 6; col. 5, lines 21-43.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the non-electrical switching keys as taught by Birdwell for the keys of Ganthier computer keyboard because this would provide an improved keyboard system that can be programed and reconfigured either by software or manually to provide any desired keyboard arrangement, see Birdwell, col. 3, lines 4-9. By this rationale, claim 1 is rejected.

12. Re claim 3, Ganthier further teaches that said removable part 130 is a single rigid unit, which has a pairs of recessed grooved 131 and 132 for inserting into a pair of mating guide rails 106 in the recessed opening 104 of the base 102, see Fig. 1.

13. Re claim 4, Ganthier further teaches that the individual code is embedded into said identification mechanism by the identification pins of the IC 136, see col. 6, lines 13-16.

14. Re claim 5, Birdwell teaches the keys layout is compatible with a standard 101-keys keyboard, and wherein each key interacts with a contact (25) on the fixed part (29) in a one-to-one correspondence, see Figs. 1, 2, 5 and 6; col. 5, lines 21-43.

15. Re claims 6-8, which are apparatus and method claims comprising similar claims limitations and corresponding steps for performing the apparatus claim 1, and are therefore rejected on the same reasons set forth in claim 1.

Response to Arguments

16. Applicant's arguments with respect to claims 1 and 3-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. It is:

- U.S. Patent No. 5,457,453 to Chiu et al, that teaches a folding keyboard;

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

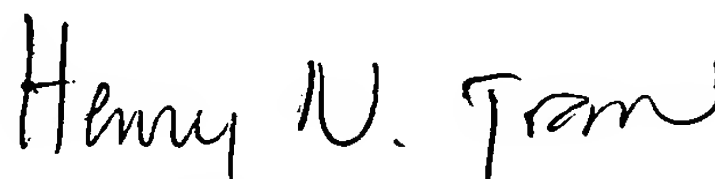
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry N. Tran whose telephone number is 571-272-7760. The examiner can normally be reached on M-F 8:00-4:30.

Art Unit: 2674

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Henry N Tran
Primary Examiner
Art Unit 2674

12/9/05
HT